

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-3, 5-10, 12-17, and 19-24 are currently pending. Claims 1, 5, 7, 8, 12, 14, 15, 19, and 21 have been amended; and Claims 4, 11, and 18 have been canceled without prejudice by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1-3, 8-10, 15, 16, 17, and 22-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,237,143 to Fontana et al. and U.S. Patent No. 6,126,330 to Knight (hereinafter “the ‘330 patent”), further in view of U.S. Patent No. 6,654,949 to Fraenkel et al. (hereinafter “the ‘949 patent”); and Claims 4-7, 11-14, and 18-21 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Applicants respectfully submit that the rejection of Claim 1 (and dependent Claims 2, 3, 5, 6, and 7) is rendered moot by the present amendment to Claim 1. Claim 1 has been amended to incorporate the limitations of Claim 4. Accordingly, based on the indicated allowability of Claim 4, Applicants respectfully submit that Claim 1 (and all associated dependent claims) are in condition for formal allowance.

Claims 8 and 15 have been amended to incorporate the limitations recited in dependent Claims 11 and 18. Accordingly, based on the indicated allowability of dependent Claims 11 and 18, Applicants respectfully submit that Claims 8 and 15 (and all associated dependent claims) are in condition for formal allowance. Further, Applicants respectfully submit that the rejection of Claims 4, 11, and 18 are rendered moot by the present cancellation of those claims.

Thus, it is respectfully submitted that independent Claims 1, 8, and 15 (and all associated dependent claims) are in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
\_\_\_\_\_  
James J. Kulbalski  
Attorney of Record  
Registration No. 34,648

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)  
JK/KMB:sjh

Kurt M. Berger, Ph.D.  
Registration No. 51,461

I:\ATTY\KMB\194's\194536US\194536US-AM REVISED BY VCA 03.29.06.DOC